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16  
17 UNITED STATES DISTRICT COURT  
18  
19 DISTRICT OF ARIZONA

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21 United States of America, )  
22 Plaintiff, ) CR 91-0446-TUC-FRZ (HCE)  
23 v. )  
24 Felipe de Jesus Corona-Verbera, )  
25 Defendant. )  
\_\_\_\_\_ )  
GOVERNMENT'S RESPONSE  
TO DEFENDANT'S MOTION  
TO DISMISS INDICTMENT  
RULE 6 VIOLATION

26  
27 The United States of America, by and through its attorneys, Paul K. Charlton, United  
28 States Attorney for the District of Arizona, and David P. Flannigan, Assistant U.S.  
29 Attorney, in response to the Defendant's Motion to Dismiss the Indictment, hereby states  
30 that defense counsel states no authority for her position, other than Rule 6(d) of the Federal  
31 Rules of Criminal procedure which was not violated.

32 Counsel appears to think that simply because the statement of another person is  
33 presented to the Grand Jury that that person is somehow present improperly before the  
34 Grand Jury. If that were the case no individual's statements could ever be presented to the  
35 Grand Jury.

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1           Defendant's position is logically and factually without merit and should be denied.

2           Respectfully submitted this 13<sup>th</sup> day of February, 2006.

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4           PAUL K. CHARLTON  
5           United States Attorney  
6           District of Arizona

7           *s/ David P. Flannigan*

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10          DAVID P. FLANNIGAN  
11          Assistant United States Attorney

12          Copy of the foregoing served  
13          electronically or by other means  
14          this 13<sup>th</sup> day of February, 2006 to:

15          Andrea Matheson, Esq.  
16          100 North Stone Avenue, Suite 702  
17          Tucson AZ 85701-0001

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